



House of Representatives

General Assembly

File No. 400

January Session, 2013

Substitute House Bill No. 6160

House of Representatives, April 8, 2013

The Committee on Public Safety and Security reported through REP. DARGAN of the 115th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

AN ACT REQUIRING WORKING SMOKE AND CARBON MONOXIDE DETECTORS IN ALL RESIDENTIAL BUILDINGS AT THE TIME TITLE IS TRANSFERRED.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

- 1 Section 1. (NEW) (*Effective October 1, 2013*) (a) Prior to transferring
- 2 title to any real property containing a residential building designed to
- 3 be occupied by one or more families, the seller of such real property
- 4 shall present to the purchaser an affidavit certifying that such
- 5 residential building is equipped with smoke and carbon monoxide
- 6 detection and warning equipment complying with this section. If, at
- 7 the time title is transferred, such residential building is not equipped
- 8 with smoke and carbon monoxide detection and warning equipment
- 9 complying with this section, the purchaser may, not later than ten days
- 10 after title is transferred, notify the seller of such noncompliance and
- 11 such seller shall bear the reasonable cost of equipping such residential
- 12 building with smoke and carbon monoxide detection and warning
- 13 equipment complying with this section.

14 (b) Any smoke detection and warning equipment required pursuant
 15 to subsection (a) of this section shall be (1) capable of sensing visible or
 16 invisible smoke particles, (2) installed in a manner and location that is
 17 approved by the local fire marshal or building official and that does
 18 not exceed the standards under which such equipment was tested and
 19 approved, and (3) capable of providing an alarm suitable to warn
 20 occupants when such equipment is activated. Such equipment may be
 21 operated using batteries, unless such equipment is installed in a
 22 residential building for which a building permit for new occupancy
 23 was issued on or after October 1, 1985, in which case such equipment
 24 shall be capable of operation using alternating current and batteries.

25 (c) Any carbon monoxide detection and warning equipment
 26 required pursuant to subsection (a) of this section shall comply with
 27 (1) regulations adopted by the State Fire Marshal and the Codes and
 28 Standards Committee concerning the requirements and specifications
 29 for the installation and use of carbon monoxide detection and warning
 30 equipment in new residential buildings designed to be occupied by
 31 one or two families for which a building permit for new occupancy is
 32 issued on or after October 1, 2005, including, but not limited to, the
 33 location, power requirements and standards for such equipment, (2)
 34 the manufacturer's instructions, and (3) the standards set forth by the
 35 National Fire Protection Association.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2013	New section

PS *Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact: None

Municipal Impact: None

Explanation

There is no fiscal impact to the state or municipalities arising from the bill's requirement that residential buildings be equipped with smoke and carbon monoxide detection and warning equipment at the time title is transferred.

The Out Years

State Impact: None

Municipal Impact: None

OLR Bill Analysis**sHB 6160*****AN ACT REQUIRING WORKING SMOKE AND CARBON MONOXIDE DETECTORS IN ALL RESIDENTIAL BUILDINGS AT THE TIME TITLE IS TRANSFERRED.*****SUMMARY:**

This bill requires a seller, before transferring title to any property containing residential building, to give the buyer an affidavit certifying that the building is equipped with smoke and carbon monoxide (CO) detection and warning equipment meeting the bill's specifications. If the building does not have the equipment when the title is transferred, the buyer may notify the seller, within 10 days after the title transfer, and the seller must bear the reasonable cost of installing the equipment. (The bill does not contain any enforcement mechanism or penalties.)

Under existing law, which this bill does not change, sellers are already required to indicate on the residential condition report they provide to prospective purchasers whether a one- to four-unit building contains smoke and CO detectors, the number of such detectors, and the nature of any problems with them (CGS § 20-327b(M)).

EFFECTIVE DATE: October 1, 2013

SMOKE AND CO DETECTION EQUIPMENT

The smoke and CO detectors may be battery powered. But if installed in a building for which a new occupancy permit was issued on or after October 1, 1985, they must be capable of operating using alternating current and batteries. They must:

1. be able to sense visible or invisible smoke particles,

2. be installed in a way and at a location that (a) is approved by the local fire marshal or building official and (b) does not exceed the standards under which they were tested and approved;
3. be able, when activated, to sound an alarm suitable to warn occupants;
4. comply with the manufacturer's instructions and National Fire Protection Association standards; and
5. comply with regulations adopted by the state fire marshal and Codes and Standards Committee concerning the requirements and specifications for installing and using such equipment in new one- or two- family dwellings for which a building permit for new occupancy is issued on or after October 1, 2005, including requirements and standards for such equipment.

The Codes and Standards Committee works with the state building inspector and state fire marshal to enforce the state building and fire safety and prevention codes.

COMMITTEE ACTION

Public Safety and Security Committee

Joint Favorable Substitute

Yea 20 Nay 4 (03/21/2013)